

## ARTICLE 61-04

### PROFESSIONAL PRACTICE

Chapter	
61-04-01	Return of Drugs and Devices Prohibited
61-04-02	Physician Exemption
61-04-03	Destruction of Controlled Substances
61-04-04	Unprofessional Conduct
61-04-05	Electronic Transmission of Prescriptions
61-04-05.1	Prescription Transfer Requirements
61-04-06	Prescription Label Requirements
61-04-07	Pharmacy Patient's Bill of Rights
61-04-08	Limited Prescriptive Practices
61-04-09	Warning Notice
61-04-10	CLIA Waived Laboratory Tests
61-04-11	Administration of Medications and Immunizations

#### CHAPTER 61-04-01 RETURN OF DRUGS AND DEVICES PROHIBITED

Section	
61-04-01-01	Return of Drugs and Devices Prohibited

**61-04-01-01. Return of drugs and devices prohibited.** Pharmacists and pharmacies are prohibited from accepting from patients or their agents for reuse, reissue, or resale any drugs, prescribed medications, chemicals, poisons, or medical devices except:

1. In a hospital with a licensed pharmacy, drugs, devices, or other items may be returned to the pharmacy for disposition by a pharmacist in accordance with good professional practice.
2. In licensed nursing homes or basic care facilities where United States pharmacopeia storage requirements can be assured, pharmaceuticals (not controlled substances) dispensed in unit dose or in individually sealed doses which meet United States pharmacopeia packaging requirements may be returned to the pharmacy from which they were dispensed. The dispensing pharmacy or pharmacist is responsible to determine the suitability of the product for reuse. No product where lot number and integrity cannot be assured may be credited or reused. A redispensed pharmaceutical must be assigned an expiration date within the manufacturers original limits but not to exceed six months from the date of redispensing. No product may be redispensed more than one time.

3. This section shall not apply to the return of medical devices provided that proper sanitary procedures are used prior to the reuse, resale, or rerent of the devices.

**History:** Amended effective July 1, 1996.

**General Authority:** NDCC 28-32-02, 43-15-10(12)(14)

**Law Implemented:** NDCC 28-32-03